

Subject : Family Law - I

Day : Thursday
Date : 20/10/2016



Time : 02.30 PM TO 05.30 PM
Max Marks : 80 Total Pages : 1

N.B.:

- 1) Attempt any **six** questions in all including **Q.No.1** is **COMPULSORY**.
- 2) **Q.No.1** carries **20** marks and all other questions carry **12** marks each.

- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Divorce by Mutual Consent
 - b) Registration of Marriage
 - c) Option of Puberty
 - d) Irretrievable Breakdown of Marriage
 - e) Primary sources of Muslim Law
 - f) Dr. N. C. Dastane v/s Mrs. S. Dastane AIR 1975
- Q.2** "Marriage among Mohammedan is not a sacrament, but purely a civil contract". Explain the statement with essential conditions of marriage under Muslim Law.
- Q.3** Critically evaluate the concept of Restitution of Conjugal Rights with the help of important case laws.
- Q.4** Discuss schools of Hindu Law.
- Q.5** Explain in detail Adultery and Cruelty as grounds of divorce under Hindu Marriage Act, 1955.
- Q.6** Explain the term Mahr and discuss classification of Mahr.
- Q.7** Explain Talaq-Ahasn, Talaq-Hasan, Talaq-ul-Bidaat and Talaq-e -Tafweez.
- Q.8** Elaborate various Bars to Matrimonial Relief under Hindu Law.
- Q.9** State the conditions relating to solemnization of Special marriages under the Special Marriage Act, 1954.
- Q.10** Explain Nullity of Marriage, Dissolution of Marriage and Restitution of Conjugal Rights under Parsi Law.

Subject : Constitutional Law-I

Day : Saturday

Date : 22/10/2016



Time : 02.30 PM TO 05.30 PM

Max Marks : 60 Total Pages : 1

N.B:

- 1) All questions are **COMPULSORY**.
 - 2) Figures to the right indicate **FULL** marks.
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Q.1 a) Preamble is not only a part of the constitution but it is a touchstone to determine the validity of constitutional provision and thereby assumed most significance. Discuss the nature, role and place of the preamble under the Indian constitution. (12)

OR

b) Doctrine of equality ensured by Article 14 is a blend and culmination of British and USA models. Discuss the notion of equality with the Doctrine of intelligible differentia in the light of appropriate case laws.

Q.2 a) Article 15 of the Indian constitution has gone through a change with the change in time, circumstances and need. Give a complete account of Article 15 as it stands today with the recent judicial trends. (12)

OR

b) Right to life and personal liberty is a sinequanon for every individual including criminal. Evaluate facet of criminal jurisprudence of Article 21.

Q.3 a) Freedom of religion guaranteed under Article 25 of the Indian constitution is an extension of doctrine of secularism. Analyze in the light of decided cases. (12)

OR

b) Article 20 of Indian constitution guarantees protection in respect of conviction for offences. Examine its nature and ambit.

Q.4 a) Right to freedom of speech and expression guaranteed under Article 19(1)(a) is indispensable for the development of one's own individuality and for the success of parliamentary democracy. Evaluate with the help of judicial decisions. (12)

OR

b) The word minority under Article 30 has not been defined by the Indian constitution and is not absolute; rather the state has power to regulate administration of the institutions established by the minority communities. Comment.

Q.5 The guarantee of Fundamental Rights is made complete by providing remedy for the enforcement of these rights under Article 32. Explain. (12)

OR

Though Fundamental Rights are provided in part III of the Indian Constitution, however Parliament can limit their application under Article 31-A. Discuss with the help of judicial decisions.

Subject : ICT & Legal Research (Soft Skills)

Day : Thursday
Date : 20/10/2016



Time : 02.30 PM TO 05.30 PM
Max Marks : 60 Total Pages : 1

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **12** marks each.

Q.1 Highlight the importance of soft skills and urge students to develop these social graces to become a successful advocate in their lives.

OR

Q.1 Describe the concept and different types of search engines. Explain how search engines prove to be an effective tool for legal research and study.

Q.2 "Information Security and Integrity is an important factor in ICT". Discuss.

OR

Q.2 Write a note on:
a) Types of Computer
b) Binary Number System
c) Internet and WWW

Q.3 "The Integrated electronic litigation system is the next step forward in the increasingly sophisticated use of technology in the courts". Comment and discuss the concept of E-litigation.

OR

Q.3 Write a note on:
a) Application of ICT in Court Administration
b) E-governance in Court Procedures
c) Structure of E-Courts

Q.4 Define 'Research'. Discuss the characteristics, objectives and major steps involved in doing legal research.

OR

Q.4 Write a note on:
a) Different modes of Communication to Internet
b) Advantages and disadvantages of Computer Assisted Legal Research
c) Features of Bulletin Board

Q.5 Define the concept, types and consequences of plagiarism with the help of recent case laws.

OR

Q.5 Define 'Citation'. How do you cite sources from the Internet in a bibliography?

Subject : Business Law & Ethics

Day : Saturday

Date : 15/10/2016



Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

N.B.

- 1) Attempt any **SIX** questions including Q.1 which is **COMPULSORY**.
 - 2) Q.1 carries 20 marks and all other questions carry 12 marks each.
-

- Q.1** Write short notes on any **FOUR** of the following:
- a) Winding up of a company
 - b) Types of partners
 - c) Caveat Emptor
 - d) Endorsements
 - e) Breach of a contract
 - f) Bureaucracy and corruption
- Q.2** Discuss the ethical issues involved in consumerism and consumer protection laws.
- Q.3** Define sale. Who is an unpaid seller? State the rights of an unpaid seller.
- Q.4** State the provisions regarding registration of partnership. What are the effects of non-registration of a partnership firm?
- Q.5** Define negotiable instruments. What is the procedure to be followed when a cheque is dishonoured?
- Q.6** Consideration is one of the essential elements of a contract. State the exceptions to this rule under section 25 of Indian Contract Act, 1872.
- Q.7** Define fraud and point out its effect on validity of an agreement. Give suitable illustrations to support your answer.
- Q.8** Discuss the powers and duties of the directors of a company.
- Q.9** Briefly outline the provisions of the New Economic Policy of 1991 with emphasis on its legal and ethical implications.
- Q.10** A minor is not estopped from setting up the plea of minority. Evaluate the position of an agreement with a minor.

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Subject : Business Law & Ethics

Day : Saturday
Date : 15/10/2016



Time : 02.30 PM TO 05.30 PM
Max Marks : 80 Total Pages : 1

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31527

MAHIPATGAD-III (CBCS- 2015 COURSE): WINTER-2016
SUBJECT: BUSINESS ETHICS

Day: Saturday
Date: 15-10-2016

Time: 2.30 P.M. To 5.30 P.M.
Max. Marks 60

N.B:

- 1) All questions are **COMPULSORY**.
- 2) Each question carries **12** marks.

Q.1 Write short notes on **ANY THREE** of the following:

- a) Continuing Guarantee
- b) Endorsement
- c) Significance of Corporate Governance
- d) Business Ethics and its objectives
- e) Consumerism in India

Q.2 What are the salient features of Consumer Protection Act?

OR

Can a minor be admitted to partnership? If so, what are the rules governing his rights and liabilities.

Q.3 Explain with the help of illustrations, the terms 'sale' and 'agreement to sell' and distinguish between sale and agreement to sell.

OR

What are the different modes in which a partnership may be dissolved?

Q.4 What is a Memorandum of Association? What are its contents? Differentiate between Memorandum of Association and Articles of Association of a company.

OR

Distinguish between:

- i) Promissory note and Bill of Exchange
- ii) Cheque and Bill of Exchange

Q.5 a) What are the facts of "Ramsgate Victoria Hotel Co. V/s Montefiore"? State the law/s relating to the above mentioned case.

b) A, an infant, obtains a loan from B. Can A be asked to repay the money? Support your answer with reasons.

OR

a) State in brief the facts of Derry V/s Peek and explain the law relating to the case.

b) A contracts to indemnify B against the consequences of proceedings which C may take against B, in respect of a certain sum of money. C obtains a judgment against B for the amount. Without paying any portion of the decree

Subject : General English-III (Including Legal Writing)

Day : Thursday

Date : 13/10/2016



Time : 02.30 PM TO 05.30 PM

Max Marks : 60 Total Pages : 2

N.B.:

- 1) All questions are **COMPULSORY** and Q. No.1 (a) and (b) are **COMPULSORY**.
- 2) Figures to the **RIGHT** indicate full marks.
- 3) All questions carry **EQUAL** marks (i.e. 12 marks each)

- Q.1**
- A)** Explain the following legal maxims (Any **Three** out of **Four**) **(06)**
- a) Rex non potest peccare
 - b) De minimis non curat lex
 - c) Salus populi est supreme lex
 - d) Ignorantia facti excusat, Ignorantia juris non excusat.
- B)** Explain the legal terms (Any **Three** out of **Four**) **(06)**
- a) Delinquent
 - b) Summons
 - c) Quid pro quo
 - d) Fraud.

OR

- Q.1**
- A)** Explain the following legal maxim (Any **Three** out of **Four**) **(06)**
- a) Noscitur a sociis
 - b) Nemo dat quod non habet
 - c) Qui facit per alium facit per se
 - d) Eiusdem Generis.
- B)** Explain the legal term (Any **Three** out of **Four**) **(06)**
- a) Conspiracy
 - b) Void
 - c) Will
 - d) Defamation.

- Q.2** **A)** Read the following passage carefully and answer the questions given below: **(12)**

Part IV of the Indian constitution sets out certain principles in the form of directives to the state to promote various aspects of national welfare and adds also that these directives are not enforceable in the court of law. Their aim is to achieve the objectives stated in the preamble. The Directive Principles concern the welfare of the people, which the state is expected to promote. The word 'state' is used here in the same sense as in regard to Fundamental Rights. These are, the duty of the state to strive to secure and protect, as effectively as it may, a just social order – a social in which justice, social, economic, political shall inform all the institutions of national life, for example the right of all men and women equally to have an adequate means of livelihood, distribution of the ownership and control of the material resources of the community in a manner, which will best sub serve the common good, prevention of the concentration of wealth and means of production to the common detriment, equal pay for equal work for both men and women, equal justice and free legal aid, the right to work and to a living wage, to education, to public assistance in case of unemployment, old age, sickness or disablement or undeserved want, participation of workers in the management of industries;

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disablement or undeserved want, participation of workers in the management of industries; to promote cottage Industries, to provide for free and compulsory education for all children till they complete fourteen years of age; to organise village panchayat; to give special help in education and economic condition of schedule caste and schedule tribes, to increase standard of living, to organize agriculture and industry on modern scientific lines, environmental welfare to secure for the citizens a uniform civil code; to protect ancient or historic monuments; separation of judiciary and executive to endeavor to promote international peace and security, and to maintain just and honourable relations between nations.

Questions:

- a) What is the aim/ purpose of Part IV of the constitution?
- b) Are the directive principles enforceable in the court of law? Also state the reasons for the same.
- c) Set out the principle of 'equality' enshrined under Part IV of the constitution in the light of above paragraph.
- d) State the relevancy of 'Directive Principles of State Policy' in present scenario.

OR

- B) Write a legal Essay on (Any One) (12)
- a) Terrorism
 - b) Public interest litigation
 - c) Environment pollution.

Q.3 Attempt any **One** of the following (Either A or B)

- A) 1) Draft a notice to debtor to pay debt. (06)
2) Draft a complaint for the offence of defamation. (06)

OR

- B) 1) Draft an affidavit (06)
2) Draft a petition for divorce. (06)

Q.4 Attempt any **One**, either **A & B** or **Only C**.

- A) Comment on the following Judicial Decisions: (06)
- i) State of Rajasthan v. Vidyawati.
 - ii) Gloucester v. Grammar School.
 - iii) Rylands v. Fletcher.

- B) Draft a legal news on child labour. (06)

OR

- C) Write a book review on "The Constitution of India." (12)

Q.5 A) Draft a report on a seminar on 'Empowerment of Women'. (12)

OR

- B) Translate the text from English to Hindi or Marathi. (12)

The Thakkar Natarajan Commission instituted to investigate the assassination of Indira Gandhi pointed the needle of suspicion in many different directions but came up with few definite conclusions. One of those at whom the needle pointed was R. K. Dhawan, Gandhi's loyal factotum. That no one took the report seriously is clear from the fact that Dhawan was subsequently appointed a minister in the Narasima Rao government and remains a senior member of the congress Commissions which study policy issues can be just as purposeless as those which investigate crimes.

Subject : General English - III

Day : Thursday

Date : 13/10/2016



Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 2

N.B.

- 1) Attempt **FIVE** questions in all from Section A, B, C and D.
- 2) Section A carries 35 marks. Attempt any **TWO** questions from Section A including Q. 1 which is **COMPULSORY**.
- 3) Section B, C and D carry 15 marks each. Any one question from each Section.
- 4) Figures to the right indicate **FULL** marks.

SECTION – A

- Q.1** A) Explain the following terms **ANY FIVE:** (10)
- | | | |
|------------|--------------|----------------------|
| i) Summon | ii) Homicide | iii) Libel |
| iv) Ad hoc | v) De facto | vi) Mutatis Mutandis |

- B) Explain the following legal maxims **ANY FIVE:** (10)
- i) Damnum sine Injuria Esse Potest
 - ii) Ex Turpi cause non oritur action
 - iii) Audi Alteram Partem
 - iv) Nemo Dat Quod Non Habet
 - v) Respondent superior
 - vi) Actio Personalis Moritur cum Persona

- Q.2** Read the following passage and answer the questions given below: (15)

What are the good parts of our civilization? First and foremost there are order and safety. If today I have a quarrel with another man I do not get beaten merely because I am physically weaker and he can kick me down. I go to law and the law will decide as fairly as it can between the two of us. Thus, in dispute between man and man, right has taken the place of might. Moreover, the law protects me from robbery and violence. Nobody can come and break into my house, steal my goods or run off with my children.

It is difficult for us to realize how much this safety means. Without safety the higher activities of mankind which make up civilization could not go on. The inventor could not invent and the artist could not make beautiful things. Hence, without order and safety civilization would be impossible. They are as necessary to our civilization as the air we breathe is to us. Another great achievement of our civilization is that today civilized men are largely free from the fear of pain. They still fall ill, but illness is no longer the terrible thing as it used to be. Previous civilizations were specialized and limited they were like oases in a desert.

Questions:

- 1) What are the merits of our civilization?
- 2) How the right has taken the place of might?
- 3) What is the importance of order and safety in civilization?
- 4) "They were like oases in a desert." What does it mean?
- 5) Suggest the most appropriate title to the passage.

- Q.3 Write an essay **ANY ONE** IN 300 TO 350 WORDS: (15)
- i) Public Interest Litigation
 - ii) Consumer Protection in India
 - iii) Democracy

SECTION – B

- Q.4 a) Draft a notice for Dishonor of cheque. (15)
- b) Draft a petition for divorce under Section 498 A of Indian Penal Code.
- Q.5 a) Draft a complaint for theft. (15)
- b) Draft a Will.

SECTION – C

- Q.6 Write a review of a text book on 'Sociology' for Law Student. (15)
- Q.7 Comment on the following decisions **ANY THREE**: (15)
- i) R Vs. Prince
 - ii) Maneka Gandhi Vs. Union of India
 - iii) Hadley Vs. Bexandale
 - iv) Chairman, Railway Board Vs. Chandrima Das

- Q.8 Draft a Legal News on "Child Abuse". (15)

SECTION – D

- Q.9 Draft a report on seminar conducted on "Labour Welfare and related Laws." (15)
- Q.10 Translate the text from English to Hindi or Marathi. (15)
- A lawyer is an integral part of administration of justice. Courts to a very large extent depend upon the learning, scholarship and wisdom of the counsel appearing in the matter. The court lean heavily upon the counsel for guidance. Thus, every Advocate has right to give such advice to his client, which he *bonafide* believes to be true and correct. It may be part of his duty. But he has important responsibilities to the court as well as to his client. He must assist the court in the administration of justice and must not deceive or knowingly or recklessly mislead the court either on fact or on law.

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Subject : Sociology & Law-III

Day : Tuesday

Date : 18/10/2016



Time : 02.30 PM TO 05.30 PM

Max Marks : 60 Total Pages : 1

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q.1 A) Define social disorganization. Explain in brief the nature of social disorganization.

OR

B) Explain the causes and remedies of student unrest.

Q.2 A) What is family disharmony? Describe in brief divorce and its consequences with the help of law.

OR

B) Illustrate on changing profile of crime and criminals.

Q.3 A) Explain how does poverty affects Nation building.

OR

B) Explain in detail the effect of development policies on gender relations.

Q.4 A) Discuss on Ecological degradation and environmental pollution.

OR

B) What is sociology of legal profession? Discuss the importance of legal education.

Q.5 A) Write short notes on the following:

- i) Criminology
- ii) Roscoe Pound theory of social engineering.

OR

B) Write short notes on the following:

- i) Reservation for women
- ii) Problems of old age.

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Subject : Sociology & Law - III

Day : Tuesday
Date : 18/10/2016



Time : 02.30 PM TO 05.30 PM
Max Marks : 80 Total Pages : 1

N.B.:

- 1) Attempt any **SIX** questions including **Q. No. 1** is **COMPULSORY**.
- 2) Q. No. 1 carries 20 marks and all other questions carry 12 marks each.

Q.1 Write short notes on any **FOUR** of the following:

- a) Sati
- b) Corruption
- c) Poverty
- d) Reservation for women
- e) Health Problems
- f) Criminology

Q.2 Explain the nature of Social Disorganization.

Q.3 Illustrate on various problems of old age, the Government and legal solution for them.

Q.4 Describe in detail how was Dowry System in India and the legal measures to reduce Dowry Harassment.

Q.5 Explain on changing profile of Crime and Criminals.

Q.6 Define Secularism and discuss on its Aim in Nation building.

Q.7 What are the effect of Development Policies on Gender Relations?

Q.8 Explain the positive and negative effect of population in India which is an issue?

Q.9 Explain how Human Rights are functioning in contemporary India?

Q.10 What is legal Education and explain how important it is for the Society?

Subject : Contract - I

Day : Saturday
Date : 22/10/2016



Time : 02.30 PM TO 05.30 PM
Max Marks : 80 Total Pages : 1

N. B. :

- 1) Attempt **ANY SIX** questions including **Q. No. 1** which is **COMPULSORY**.
- 2) **Q. No. 1** carries **20** marks and all other carry **12** marks each.

Q. 1 Write short notes on **ANY FOUR** of the following:

- a) Contracts which can be specifically enforced
- b) Cancellation of instruments
- c) Declaratory decree
- d) Rescission of contract
- e) Rectification of instruments
- f) Injunction

Q. 2 An agreement that law will enforce is a contract. The conditions of enforceability are stated in section 10. Discuss the conditions.

Q. 3 Consideration is the price of the promise. It means something which is of some value in the eyes of law. Explain with the help of relevant case laws.

Q. 4 If an infant invokes the aid of the court for the cancellation of his contract, the court may grant the relief but under the condition that he shall restore the benefits obtained by him. Elaborate this statement with reference to Mohoribibi v/s Dharmodas Ghose.

Q. 5 A contract, the consent to which is induced by misrepresentation, is voidable at the option of the deceived party. Explain.

Q. 6 Discuss in brief:

- a) Restraint on trade
- b) Wagering Agreements

Q. 7 Define frustration and state the specific grounds of frustration. Support your answer with the help of relevant case laws.

Q. 8 Explain the term damages in terms of money for the loss suffered by the injured party.

Q. 9 What are the various situations in which quasi contracts get created?

Q. 10 What are standard form contract? What are the devices evolved by the court for protection of weaker parties?

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